

TRULINCS 26500510 - OLIVO, NELSON - Unit: SCH-E-B

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UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK,

CASE NUMBER, S1 22 CR-00582-003

UNITED STATES OF AMERICA,
PLANTIFF,

NELSON OLIVO,
DEFENDANT,

MOTION FOR A SENTENCING REDUCTION PURSUANT TO THE NEW
AMENDMENT 821 18 USC 3582(c)(2) AND APPOINT COUNSEL
PURSUANT TO THE CJA 3006A ACT

BACKGROUND MR OLIVO WAS CONVICTED AND SENTENCE TO 14 YEARS IN UNITED STATES DISTRICT COURT
IN THE SOUTHERN DISTRICT OF NEW YORK FOR 21 846 SEC 841 -851 ATTEMPT 21 USC 846, 21 USC 841,
(B) (1)(A) NARCOTICS CONSPIRACY CT1 MR NELSON OLIVO ASK THIS COURT TO GRANT THIS MOTION TO
THAT NEW AMENDMENT 821 AND 18 USC 3582(c)(2) AND APPOINT COUNSEL PURSUANT TO THE CJA 3006A ACT

[ARGUMENT]

Application DENIED. As the Court discussed at sentencing, *see* Tr., Dkt. 237, at 11-13, although Mr. Olivo has zero criminal history points, he was not entitled to the zero-point adjustment. Pursuant to U.S.S.G. § 4C.1(1), the zero-point adjustment does not apply if the Court applies a role adjustment pursuant to U.S.S.G. § 3B1.1(c). Here, the Court found that a role adjustment was appropriate, and hence Mr. Olivo was not entitled to any adjustment under Amendment 821.

The Clerk of the Court is respectfully directed to mail a copy of this order to Nelson Olivo, Reg. No. 26500-510, FCI Schuylkill, Interstate 81 & 901 W, Minersville, PA 17954, and to note mailing on the docket.

SO ORDERED.

 4/21/2025

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE

RECEIVED
Court of Appeals
For the Second Circuit
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